

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKUSDC SDNY
DOCUMENT
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Court Ex. #1

UNITED STATES OF AMERICA

- v. -

ANDREA AYERS,

Defendant.

: ORDER OF RESTITUTION

: 21 Cr. 440 (NSR)-o2

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Upon the application of the United States of America, by its attorney, Damian Williams, United States Attorney for the Southern District of New York, Assistant United States Attorney Jeffrey C. Coffman, of counsel; defendant ANDREA AYERS's ("Defendant's") conviction on Counts One through Three of the above-referenced Indictment; the Presentence Investigation Report; and all other proceedings in this case; and all other proceedings in this case, and upon consideration of the factors set forth in Title 18, United States Code, Section 3664(f)(2), it is hereby ORDERED that:

1. Amount of Restitution. ANDREA AYERS, the Defendant, shall pay restitution in the total amount of \$1,690,000 in United States currency to:

U.S. Small Business Administration/DFC
721 19th St, 3rd Floor
Room 301
Denver, CO 80202

Upon advice of a change of address, the Clerk of the Court is authorized to send payments to the new address without further order of this Court.

2. Joint and Several Liability. Restitution shall be joint and several with co-defendant Alicia Ayers, charged in Indictment 21 Cr. 440 (NSR), and defendant Traci Proctor, charged in Indictment 21 Cr. 529 (NSR). Defendant's liability for restitution shall continue

unabated until either the Defendant has paid the full amount of restitution ordered herein, or the victim has been paid a total of \$1,690,000 from all the restitution paid by the Defendant, Alicia Ayers, and Traci Proctor.

3. Schedule of Payments. Pursuant to 18 U.S.C. § 3664(f)(2), in consideration of the financial resources and other assets of the Defendant, including whether any of these assets are jointly controlled; projected earnings and other income of the Defendant; and any financial obligations of the Defendant; including obligations to dependents, the Defendant shall pay restitution in the manner and according to the schedule that follows:

In the interest of justice, restitution shall be payable in installments pursuant to 18 U.S.C. § 3572(d)(1) and (2). While serving the term of imprisonment, the Defendant shall make installment payments toward his restitution obligation, and may do so through the Bureau of Prisons' (BOP) Inmate Financial Responsibility Plan (IFRP). Pursuant to BOP policy, the BOP may establish a payment plan by evaluating the Defendant's six-month deposit history and subtracting an amount determined by the BOP to be used to maintain contact with family and friends. The remaining balance may be used to determine a repayment schedule. BOP staff shall help the Defendant develop a financial plan and shall monitor the inmate's progress in meeting her restitution obligation.

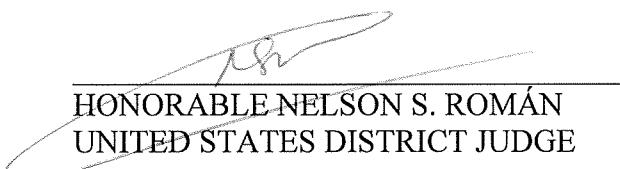
Any unpaid amount remaining upon release from prison will be paid in installments of not less than the greater of \$250 or 10 percent of the defendant's gross monthly income, on the 15th of each month.

This schedule is without prejudice to the Government taking enforcement actions, pursuant to 18 U.S.C. § 3613, to the extent warranted.

4. Payment Instructions. Restitution payments shall be made payable to the "SDNY Clerk of Court" and delivered to: United States Courthouse, 500 Pearl Street, New York, New York 10007 - Attention: Cashier, as required by 18 U.S.C. § 3611. The Defendant's name and the docket number of this case shall be written on each check or money order. Any cash payments shall be hand delivered to the Clerk of Court using exact change and shall not be mailed. For payments by wire, the Defendant shall contact the Clerk of Court for wiring instructions.

Dated: White Plains, New York
April 26, 2024

SO ORDERED:


HONORABLE NELSON S. ROMÁN
UNITED STATES DISTRICT JUDGE